

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

Re: ECF Nos. 3614, 3733

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY (“HTA”),

Debtor.

PROMESA

Title III

No. 17 BK 3567-LTS

**This Second Urgent Joint Motion
relates to HTA and shall be filed in
Case Nos. 17 BK 3283-LTS, and 17
BK 3567-LTS.**

SECOND URGENT JOINT MOTION FOR EXTENSION OF DEADLINES

To the Honorable United States District Court Judge Laura Taylor Swain:

The Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), on behalf of the Puerto Rico Highways and Transportation Authority (“HTA”), pursuant to the authority

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

granted to it under the *Enabling Act of the Fiscal Agency and Financial Advisory Authority*, Act 2-2017, with Martami, Inc. (“Movant”), respectfully submit this second urgent joint motion for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadlines set forth in the *Order Granting Urgent Joint Motion for Extension of Deadlines in Connection with Martami, Inc.’s Motion for Relief from Stay* [Case No. 17 BK 3283, ECF No. 3733] (the “Amended Scheduling Order”).²

Request for Relief

1. On July 18, 2018, Movant filed the *Motion for Relief from of Stay* [Case No. 17 BK 3283, ECF No. 3614] (the “Motion”), seeking relief from the automatic stay to allow the case captioned *Autoridad de Carreteras y Transportación de Puerto Rivo v. Tartak Borthers, Inc. et al.*, KEF-2006-135 (1003) to proceed before the Puerto Rico Court of First Instance (the “Prepetition Court”), and to allow Movant to withdraw a sum of money consigned with the Prepetition Court. Motion ¶¶ 2, 6.

2. On July 19, 2018, the Court entered the *Order Scheduling Briefing of Motion for Relief From Stay* [Case No. 17 BK 3283, ECF No. 3624] (the “Original Scheduling Order”), which set certain deadlines to file opposition papers and reply papers.

3. On August 2, 2018, the Court entered the Amended Scheduling Order, which extended the deadlines set in the Original Scheduling Order and provides that opposition papers to the Motion must be filed by August 8, 2018 at 5:00 p.m., and Movant’s reply papers must be filed by August 15, 2018 at 5:00 p.m.

² The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the Debtors’ representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), 48 U.S.C. §§ 2101-2241, has authorized AAFAF to file this second urgent joint motion on behalf of HTA.

4. The Parties are continuing to negotiate a consensual resolution of the Motion and thus, HTA and Movant have agreed to the following extensions of the deadlines set forth in the Amended Scheduling Order:

- The deadline to file oppositions to the Motion, or to otherwise respond, shall be extended to **August 15, 2018**.
- The deadline for Movant to file a reply to any oppositions shall be extended to **August 22, 2018**.

5. Pursuant to Paragraph 1.H of the *Fourth Amended Notice, Case Management and Administrative Procedures* [Case No. 17 BK 32830 ECF No. 2839-1] (the “Case Management Procedures”), the parties hereby certify that they have carefully examined the matter and concluded that there is a true need for an urgent motion; they have not created the urgency through any lack of due diligence; have made a bona fide effort to resolve the matter without a hearing; have made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and no party opposes the relief requested herein.

Notice

6. HTA has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors’ bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight Board; (g) the

Puerto Rico Department of Justice; (h) the Other Interested Parties;³ (i) all parties filing a notice of appearance in these Title III cases; and (j) Movant. A copy of the motion is also available on the Debtors' case website at <https://cases.primeclerk.com/puertorico/>.

7. HTA submits that, in light of the nature of the relief requested, no other or further notice need be given.

WHEREFORE, HTA and Movant respectfully request the Court enter the Proposed Order and grant such other relief as is just and proper.

Dated: August 8, 2018
San Juan, Puerto Rico

Respectfully submitted,

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Respectfully submitted,

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³ The "Other Interested Parties" include the following: (i) counsel to certain of the insurers and trustees of the bonds issued or guaranteed by the Debtors; and (ii) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors.

Exhibit A

Proposed Order